

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUMENTUM OPERATIONS LLC,

Plaintiff,

v.

nLIGHT, INC.; DAHV KLINER; and
ROGER L. FARROW,

Defendants.

NO. 3:22-CV-05186-BHS

**STIPULATED MOTION AND ORDER
TO MODIFY SCHEDULING ORDER**

**NOTE ON MOTION CALENDAR:
WEDNESDAY, MAY 8, 2024**

STIPULATED MOTION

Pursuant to LCR 16(b)(6), Plaintiff Lumentum Operations LLC (“Lumentum”) and Defendants nLIGHT, Inc. (“nLIGHT”), Dahv Kliner (“Kliner”), and Roger L. Farrow (“Farrow”) (collectively, the “Parties”), by and through the undersigned counsel, hereby respectfully submit this Stipulated Motion to Modify the Scheduling Order (Dkt. Nos. 47, 75, 82).

Since the Court granted the Parties’ prior stipulation to modify the Scheduling Order (Dkt. 82), the Parties appeared at the April 18, 2024 Hearing regarding the Expedited Joint Motion for Discovery by Lumentum (Dkt. 76). Consistent with the Court’s guidance at the April 18, 2024 Hearing, the parties have been diligently working together, including multiple meet and confers, to produce documents and supplement discovery responses as ordered by the Court, take depositions, and attempt to resolve remaining discovery disputes.

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Case No. 3:22-cv-05186-BHS

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Defendants have not yet been able to produce manuals and specifications for the Corona fiber laser products as ordered by the Court, but the parties continue to work cooperatively on this and other disputed discovery issues, and expect that these issues will be resolved soon. In addition, lead counsel for Lumentum has had to take a short leave due to the loss of his mother on April 28, 2024. So that discovery may be further completed and remaining issues resolved in advance of expert disclosures, the Parties agree that good cause exists to slightly modify the Scheduling Order as set forth below. This request only seeks to modify the first five pre-trial dates while keeping the trial date and remaining pre-trial dates the same:

Event	Original Date	Revised Date per Dkt. 82	Proposed Third Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	May 15, 2024	May 28, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 21, 2024	July 2, 2024
Motions Deadline	May 20, 2024	June 28, 2024	July 8, 2024
Discovery Deadline	June 17, 2024	July 8, 2024	July 17, 2024
Dispositive Motions Deadline	July 17, 2024	July 17, 2024	July 24, 2024
Motions in Limine Deadline	September 9, 2024	September 9, 2024	September 9, 2024
Pretrial Order Deadline	September 23, 2024	September 23, 2024	September 23, 2024
Voire Dire, Jury Instruction, Trial Brief, and Agreed Neutral Statement of the Case, and Deposition Designations Deadline	September 24, 2024	September 24, 2024	September 24, 2024
Pretrial Conference	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM	September 30, 2024, at 3:00 PM

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Event	Original Date	Revised Date per Dkt. 82	Proposed Third Revised Date
Seven Day Jury Trial set to commence	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM	October 15, 2024, at 9:00 AM

For the foregoing reasons, the Parties respectfully request that the Court modify the Scheduling Order as set forth above. A proposed Order is submitted herewith.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 8th day of May, 2024.

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***Attorneys for Defendants nLIGHT, Inc., Dahv Kliner
and Roger L. Farrow***

ORDER

This matter, having come before the Court on the above stipulation, it is hereby
ORDERED THAT:

Relief is granted to extend the following deadlines:

Event	Original Date	Revised Date	Proposed Third Revised Date
Expert Witness Disclosure/Reports Deadline	April 8, 2024	May 15, 2024	May 28, 2024
Rebuttal Expert Disclosure/Reports Deadline	May 8, 2024	June 21, 2024	July 2, 2024
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Discovery Deadline	June 17, 2024	July 8, 2024	July 17, 2024
Dispositive Motions Deadline	July 17, 2024	July 17, 2024	July 24, 2024

Pursuant to the above Stipulation, the trial date and all other pre-trial deadlines shall remain the same.

IT IS SO ORDERED.

Dated this 8th day of May, 2024.



BENJAMIN H. SETTLE
United States District Judge

1 Presented by:

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